

REMARKS

The Office Action of January 5, 2007, and the cited art have been carefully considered. The application has been amended to eliminate unnecessary limitations and to correct grammatical and similar errors. Reconsideration of the rejection of the application is respectfully requested based on the amendments and following discussion.

Claims 1 and 2 have been amended to the specific material formulation.

Claims 3-6 were preliminarily amended as to dependency.

Claim 10 has been divided into 10 and 15 (new) eliminating a claim in the alternative.

Claims 11-14 were preliminarily amended as to dependency.

REJECTION 102:

1. Claims 1 - 6 and 11 - 14 were rejected under 35 U.S.C. 102(b) as anticipated by Daemen '544.

Daemen '544 fails to provide a prima facie case of invalidity under 35 U.S.C. 102, since Daemen '544 requires the addition of an oxide of an element with an atomic number of 39, or from 58 to 71. The Applicants disclose and claim an electrode that only "*consists of tungsten, lanthanum oxide La_2O_3 and at least one further oxide selected from the group consisting of hafnium oxide HfO_2 and zirconium oxide ZrO_2* "

Daemen '544 does not show teach or suggest any electrode without an oxide with an atomic number of 39, or from 58 to 71. Applicants have found formulation ranges that clearly eliminate the additional oxide.

Daemen '544 requires the use of an oxide with an atomic number of 39, or from 58 to 71. Daemen '544 cannot make obvious the elimination of what Daemen '544 specifically requires.

Withdrawal of the rejection and reconsideration of the rejected claims are therefore respectfully requested.

REJECTION 103:


2. Claims 1 - 14 were rejected under 35 USC 103 over Daemen '544 in view of Inoue '767.

The rejection of Claims 1 - 14 as being unpatentable under 35 U.S.C. 103 as being obvious over Daemen '544 in view of Inoue '767 is respectfully traversed and reconsideration thereof is requested.

Inoue '767 shows a short arc lamp, but does not discuss the electrode formulation. The Applicants agree with the Examiner that the Daemen '544 electrode could be used in the Inoue '767 lamp. The combination does not show, teach or make obvious the electrode composition claimed by the Applicants nor does it make obvious a lamp with such an electrode composition.

It is believed that a full and complete response to the Office Action has been made, that the Application as amended is patentably distinct over the cited art, and that the case is now in condition to be passed to issue. Reconsideration of the amended application is therefore requested, and an early favorable notice of allowance is courteously solicited.

Respectfully submitted,

By: 
William E. Meyer
Reg. No. 30,719
Attorney for Applicants

OSRAM SYLVANIA INC.
100 ENDICOTT STREET
DANVERS, MA 01923
(978) 750-2384
(978) 750-2045 FAX